

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	Criminal No. 13-08
	:	
vs.	:	
	:	
	:	
JOSE TIRADO	:	Attorney I.D. #56038

ORDER

AND NOW, this _____ day of _____, 2013, upon consideration of the Unopposed Motion for the Continuance of Trial Date of defendant Jose Tirado, it is hereby **ORDERED** that said Motion is **GRANTED**.

The Court finds that the parties need additional time to determine whether a non-trial disposition can be reached, and if not, the Court further finds that the defense needs additional time to prepare for trial. Pursuant to 18 U.S.C. Sec 3161(h)(7), the Court finds that the ends of justice served by the continuance outweigh the best interest of the public and the defendant to a speedy trial.

BY THE COURT:

The Honorable Cynthia M. Rufe
Judge, United States District Court

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**UNOPPOSED MOTION FOR CONTINUANCE OF TRIAL DATE
FOR DEFENDATN JOSE TIRADO**

Jose Tirado, by and through his attorney, Thomas P. Pfender, Esquire, hereby respectfully petitions the Court to continue the trial date. In support of this motion, defendant Jose Tirado states a follows:

1. On January 8, 2013, defendant Jose Tirado was indicted by a federal grand jury for violations of 18 U.S.C. Sec. 286 (conspiracy to defraud the government with respect to claims), 18 U.S.C. Sec. 287 (false claims), and 18. U.S.C. Sec. 2 (aiding and abetting).
2. Defendant Jose Tirado was ordered released on \$100,000.00 surety secured by various properties and other pre-trial conditions at a detention hearing held on January 23, 2013, before the Honorable Magistrate Judge Thomas J. Rueter.
3. On January 23, 2013, defendant Jose Tirado was arraigned before The Honorable Magistrate Judge Thomas J. Reuter on the above captioned indictment and entered a plea of not guilty.
4. On February 19, 2013 defendant Jose Tirado filed an Unopposed Motion for Extension of Time to File Pre-Trial Motions.
5. On February 4, 2013, the government filed a Motion for Complex Case

Declaration and Special Listing.

6. On February 20, 2013, this Honorable Court Ordered and declared this matter as a Complex Case Designation and the case was continued beyond the time limits established by the Speedy Trial Act and further ordered that the matter to be listed for trial October 7, 2013.

7. Voluminous Discovery has been provided to counsel. However, counsel will require additional time to review discovery and analyze issues in the case and to possibly negotiate a non-trial disposition. If a non-trial disposition cannot be reached, counsel will need additional time to conduct any necessary investigations and to prepare for trial. Accordingly, a continuance date of not less than ninety (90) days is respectfully requested.

8. Assistant United States Attorney Ashley Kruidenier Lunkenheimer is assigned to this case. She has advised that the government does not oppose defendant's motion to continue the trial date.

9. Defendant Jose Tirado stipulates that the time from filing of this motion until the trial date is excludable time pursuant to 18. U.S.C. Sec. 3161(h)(7).

WHEREFORE, for the foregoing reasons, defendant Jose Tirado respectfully request that this motion be granted.

Respectfully submitted,

/s/ Thomas P. Pfender

THOMAS P. PFENDER, ESQUIRE
3143 Knights Road
Bensalem, PA 19020
215-245-7190
(Fax) 215-245-7350
tppfender@aol.com
Attorney for Defendant, Jose Tirado

Dated: September 23, 2013

CERTIFICATE OF SERVICE

I, Thomas P. Pfender, Esquire, hereby certify that the Unopposed Motion for Continuance of Trial Date for Jose Tirado has been filed electronically on September 23, 2013, and is available for reviewing and downloading from the Court's Electronic Case Filing System. The ECF System's electronic service of the Notice of Electronic Case Filing constitutes service on all parties who have consented to electronic service.

/s/ Thomas P. Pfender

THOMAS P. PFENDER, ESQUIRE

Dated: September 23, 2013